



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,653	03/29/2004	Cezary Marcjan	MS307118.01 / MSFTP639US	2412
27195 7590 08/13/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER WOO, ISAAC M	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 08/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/811,653	Applicant(s) MARCJAN, CEZARY	
	Examiner Isaac M. Woo	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Amendment, filed on June 14, 2007 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 1-10 and 12-37 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 and 12-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conklin (U.S. Patent No. 6,415,283) in view of Risvik (U.S. Patent No. 6,377,945) further in view of Vishik (U.S. Patent No. 7,162,480).

With respect to claims 1, 16, 23 and 33, Conklin teaches a data structure having a plurality of data nodes (fig. 2, col. 4, lines 5-59); a valuation component that assigns a valuation to one or more of the data nodes in accordance with a predetermined metric (col. 1, lines 63-67 to col. 2, lines 1-20); and a description component that generates a

Art Unit: 2166

description that represents at least one of the one or more data nodes that is selected according to the metric (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63). Conklin does not explicitly disclose, "the metric is at least one of time the node was accessed, that the node was modified, when the node was modified, that the node was copied, when the node was copied". However, Risvik teaches, metric comprises the combination of edit distance metric (col. 3, lines 35-67 to col. 4, lines 1-43), and discloses edit distance metric as defined as operation of insert, change and deletion, which teaches metric is defined by edition (accessed, modified copied) (col. 8, lines 42-50). Therefore, based on Conklin in view of Risvik, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to utilize the teaching of Risvik to the system of Conklin in order describe to data node valuation using metric edition method in data management system. Neither Conklin nor Risvik does not explicitly disclose, "an access frequency, or a number of unique users who have accessed the node". However, Vishik teaches the numbers of access to the node by users (fig. 2A, col. 5, lines 34-57). Therefore, based on Conklin in view of Risvik and further in view of Vishik, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to utilize the teaching of Vishik to the system of Conklin in order describe to data node valuation using metric edition method in data management system.

With respect to clam 2, Conklin teaches the data structure is hierarchical (fig. 2, col. 4, lines 5-59).

With respect to clam 3, Conklin teaches selection component that selects which of the one or more data nodes is processed for viewing (col. 7, lines 1-60).

With respect to clam 4, Conklin teaches the metric is associated with observed user activity (col. 7, lines 1-60).

With respect to clam 5, Conklin teaches the selected data node is represented by the description, which description is a one-dimensional view (fig. 2, col. 4, lines 5-59).

With respect to clam 6, Conklin teaches data structure is associated with at least one of an operating system and a data repository (fig. 9, col. 17, lines 13-65).

With respect to clam 7, Conklin teaches the selected data node is associated with a play list (fig. 2, col. 4, lines 5-59).

With respect to clam 8, Conklin teaches the valuation is presented as at least one of a number, image data, audio data, coloration, and a character string (fig. 2, col. 4, lines 5-59).

With respect to clam 9, Conklin teaches one or more data nodes are at least one of local to a first computing system, located remote from the first computing system, and distributed across multiple computing systems (fig. 9, col. 17, lines 13-65).

With respect to clam 10, Conklin teaches the description can be used to navigate to the associated data node by hyperlinking the description to the corresponding data node (fig. 9, col. 17, lines 13-65).

With respect to clam 12, Conklin teaches the selected data node has the highest valuation node (fig. 9, col. 17, lines 13-65).

With respect to clams 13-14, Conklin teaches computer readable medium having stored thereon computer executable instructions (fig. 9, col. 17, lines 13-65).

With respect to clam 15, Conklin teaches automation of selected operations for the generation of the meaningful description by making an inference based on at least the metric associated with the one or more data nodes (col. 6, lines 5-67).

With respect to clam 17, Conklin teaches the selected data node is represented by the description, which description is a one-dimensional view (fig. 2, col. 4, lines 5-59).

With respect to clam 18, Conklin teaches data structure is associated with at least one of an operating system and a data repository (fig. 9, col. 17, lines 13-65).

With respect to clam 19, Conklin teaches the valuation is presented as at least one of a number, image data, audio data, coloration, and a character string (fig. 2, col. 4, lines 5-59).

With respect to clam 20, Conklin teaches selected data node is associated with a data path, which data path is defined by multiple data nodes each having one or more node designations, the one or more node designations are processed by the naming component to generate a one-dimensional representation of the selected node (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to clam 21, Conklin teaches naming component generates a plurality of flattened one-dimensional meaningful name outputs that correspond to multiple nodes that have been selected according to the assigned valuation (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to clam 22, Conklin teaches the one or more names include metadata information representative of at least one of location data, relative time,

Art Unit: 2166

recency, reoccurrence, and classification type (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to clam 24, Conklin teaches outputting the meaningful name as a one-dimensional view (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to claim 25, Conklin teaches node metadata is in the format of at least one of a number, image data, audio data, a character string, and a word (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to clam 26, Conklin teaches the data structure is a hierarchical data structure (fig. 2, col. 4, lines 5-59);

With respect to clam 27, Conklin teaches learning a new observed user activity associated with the plurality of nodes; and assigning a new valuation for each of the plurality of nodes (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to clam 28, Conklin teaches filtering out unimportant node metadata (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to clam 29, Conklin teaches generating a first set of meaningful names for a first user and a second set of meaningful names for a second user, wherein

Art Unit: 2166

the first and second sets of meaningful names are generated from the data structure and one of the same and different (fig. 3, col. 4, lines 60-67 to col. 5, lines 1-63).

With respect to clam 30, Conklin teaches detecting a format of the node metadata; and generating the meaningful name in at least one of the same format, a different format, and a combination of the same format and the different format (fig. 2-4, col. 4, lines 1-67 to col. 5, lines 1-65).

With respect to clam 31, Conklin teaches the meaningful names are generated using at least one of a folder name and a file name that are associated with the each node of the plurality of nodes (fig. 2-4, col. 4, lines 1-67 to col. 5, lines 1-65).

With respect to clam 32, Conklin teaches analyzing text of a document that is associated with the selected node; and generating a meaningful name of that selected node based on a frequency that a word is used in the text of the document (fig. 2-4, col. 4, lines 1-67 to col. 5, lines 1-65).

With respect to clam 34, Conklin teaches analyzing descriptors of one or more files and filenames that are associated with the selected node; and generating a meaningful name based on the descriptors associated with the files and filenames (fig. 2-4, col. 4, lines 1-67 to col. 5, lines 1-65).

With respect to clam 35, Conklin teaches the descriptors are in the format of at least one of a number, image data, audio data, a character string, and a word (fig. 2-4, col. 4, lines 1-67 to col. 5, lines 1-65).

With respect to clam 36, Conklin teaches learning a new observed user activity associated with the plurality of nodes; updating the observed user activity with the new observed user activity; and assigning a new valuation for each of the plurality of nodes based on the new observed user activity (fig. 2-4, col. 4, lines 1-67 to col. 5, lines 1-65).

With respect to clam 37, Conklin teaches the meaningful name includes metadata information representative of at least one of location data, relative time, recency, reoccurrence, and classification type (fig. 2-4, col. 4, lines 1-67 to col. 5, lines 1-65).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Isaac Woo
August 9, 2007